

# CALFRESH (CF) PROGRAM

## REQUEST FOR POLICY/REGULATION INTERPRETATION

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 8/15/2013	NEED RESPONSE BY: 8/25/2013
2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION: Shasta County	
3. PHONE NO.:	7. SUBJECT: Safe At Home Married Spouse Does Not Want Aid	
4. REGULATION CITE(S):	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) <b>NOTE: All requests must have a regulation cite(s) and/or a reference(s).</b>	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

Is the CWD required to include a married spouse as a household member even if she states she is on the Safe At Home program and lives with her spouse less than half-time?

Scenario:

Applicant states he wants CalFresh only for himself. His wife states she lives with her husband about three days a week but spends the night at other places the rest of the time. She provided proof she is in the state witness protection program (Safe at Home California Confidential Address program) from her ex-husband. She does not want aid.

10. REQUESTOR'S PROPOSED ANSWER:

Per 63-402.14, separate household status cannot be given to an individual living with the household who is a spouse of a member of the household.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

Per federal regulations 7 CFR 273.1(c), for situations that are not clearly addressed, a state agency may apply its own policy for determining when an individual is a separate household if the policy is applied fairly, equitably and consistently throughout the state. Therefore, as the applicant's spouse only lives with him 3 days per week, she is not part of his purchase and prepare household and can be excluded. The application of this exception is limited to unique circumstances such as that described above. The county is advised to cite the above referenced federal regulation in the case record for Quality Control purposes.

### FOR CDSS USE

DATE RECEIVED:

DATE RESPONDED TO COUNTY/ALJ: